





SonoSite 180 PLUS, SonoHeart PLUS, SonoSite 180, and SonoHeart. Excerpts from defendant's advertising literature depicting the SonoSite 180 and SonoSite 180 PLUS are attached as Exhibit B.

7. On information and belief, on or after April 24, 2001, defendant has sold or offered for sale ultrasound imaging devices that are covered by one or more claims of the '021 Patent, within the Southern District of Texas.
8. On information and belief, defendant knowingly and willfully provides extensive support to its customers which induces and enables them to use SonoSite devices that are covered by one or more claims of the '021 Patent.

#### **IV. Count I – Direct Infringement**

9. This cause of action arises under 35 U.S.C. § 271(a).
10. NDC incorporates and realleges the allegations of paragraphs 5-9, herein.
11. On information and belief, defendant has directly infringed one or more claims of the '021 Patent.
12. On information and belief, defendant has committed such acts of infringement within the Southern District of Texas, thereby giving rise to specific jurisdiction over defendant in this Court for this count.
13. On information and belief, acts of direct infringement have damaged and will continue to damage NDC, causing irreparable harm, for which there is no adequate remedy at law. Such unlawful acts and damage will continue to occur unless enjoined by this Court.

#### **V. Count II – Inducing Infringement**

14. This cause of action arises under 35 U.S.C. § 271(b).
15. NDC incorporates and realleges the allegations of paragraphs 5-14.
16. On information and belief, defendant, and/or its agents, have induced one or more persons to directly infringe the '021 Patent, in violation of 35 U.S.C. § 271(b).

17. On information and belief, one or more acts of inducement have occurred in the Southern District of Texas since the issuance of the '021 Patent, thereby giving rise to specific jurisdiction over defendant in this Court for this count.
18. On information and belief, defendant's acts of inducing infringement have damaged and will continue to damage NDC, causing irreparable harm, for which there is no adequate remedy at law. Such unlawful acts and damage will continue to occur unless enjoined by this Court.

#### **VI. Prayer for Relief**

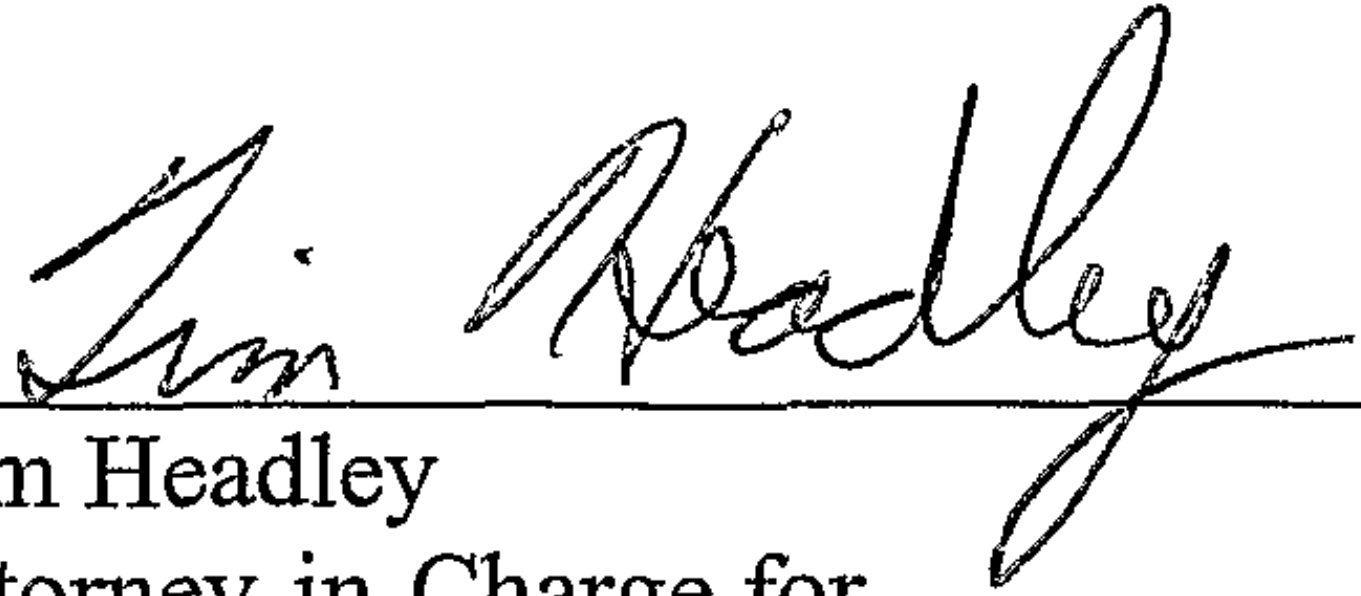
19. NDC requests the following relief:
  - a. preliminary and permanent injunctive relief enjoining all acts of infringement, as provided under 35 U.S.C. § 283;
  - b. compensatory damages as provided under 35 U.S.C. § 284;
  - c. enhancement of damages as provided under 35 U.S.C. § 284;
  - d. an award of NDC's reasonable attorneys fees and costs, as provided under 35 U.S.C. § 285 and Rule 54(d), Fed. R. Civ. P.;
  - e. an award of prejudgement and post-judgement interest; and
  - f. such other and further relief as this Court deems just and appropriate.

#### **VII. Demand for Jury Trial**

20. NDC requests a jury trial.



Respectfully submitted,



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Dated: 7-24-01

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The Exhibit(s) May  
Be Viewed in the  
Office of the Clerk